



City Council Agenda

Council President
Henry Perea

Councilmembers

Tom Boyajian
Brian Calhoun
Brad Castillo

Jerry Duncan
Sal Quintero
Daniel Ronquillo, Acting President

City Manager
Daniel G. Hobbs

City Clerk
Rebecca E. Klisch , CMC

City Attorney
Hilda Cantú Montoy

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 498-1321

The City Council welcomes you to this meeting.

TUESDAY, JULY 31, 2001

IF YOU WOULD LIKE TO SPEAK, FILL OUT A SPEAKER REQUEST FORM AVAILABLE FROM THE CITY CLERK'S OFFICE AND IN THE COUNCIL CHAMBERS. THE AGENDA IS AVAILABLE ON (www.ci.fresno.ca.us). THE COUNCIL MEETING CAN ALSO BE HEARD LIVE AT THE SAME WEB SITE ADDRESS.

9:00 A.M. ROLL CALL

Invocation by Pastor J.R. Coleman of People's Church

Pledge of Allegiance to the Flag

Recognition of Police Chief Ed Winchester

Resolution of Commendation to Krispy Kreme Doughnuts

Proclamation of "CRAIG SCHOOL OF BUSINESS HUMAN RESOURCE MANAGEMENT TEAM DAY" - Councilmember Castillo

Presentation of FAX ADA Advisory Committee Driver Appreciation Awards - Council President Perea

COUNCIL ACTION ON UNSCHEDULED ITEMS, IF ANY, SHALL BE LIMITED TO REFERRING THE ITEM TO STAFF FOR A REPORT AND POSSIBLE SCHEDULING ON A FUTURE COUNCIL AGENDA. FOR EACH MATTER CONSIDERED BY THE COUNCIL, THERE WILL FIRST BE A STAFF PRESENTATION, FOLLOWED BY A PRESENTATION FROM THE PROJECT APPLICANT. TESTIMONY FROM THOSE IN ATTENDANCE WILL THEN BE TAKEN. ALL TESTIMONY GIVEN WILL BE LIMITED TO THREE MINUTES PER PERSON.

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Approve minutes of July 24, 2001 (*To be approved 8/14/2001*)

Action Taken:

Approve Agenda

Action Taken:

Adopt Consent Calendar

Action Taken:

TIME SCHEDULED HEARINGS AND MATTERS

10:00 A.M. HEARING regarding Community Facilities District No. 2, Annexation No. 28 (Tract Nos. 4646 and 5018)

Action Taken:

a. **RESOLUTION** - Annexing territory to Community Facilities District No. 2, Annexation No. 28 and authorizing the levy of a special tax

Action Taken:

b. **RESOLUTION** - Calling a special mailed-ballot election

Action Taken:

c. **RESOLUTION** - Declaring election results

Action Taken:

d. * **BILL** - Levying a special tax for the property tax year 2001-2002 and future tax years within and relating to Community Facilities District No. 2, Annexation No. 28

Action Taken:

10:15 A.M. CONTINUED HEARING to consider Plan Amendment No. A-01-01, Rezoning Application No. R-01-02 and related environmental assessment, filed by Westcal, Inc., for property located on the west side of N. Willow between E. Behymer and E. Perrin Avenues (*Council District 6*)

Action Taken:

1. Consider and adopt Mitigated Negative Declaration for Environmental Assessment No. A-01-01, R-01-02, T-5007, dated April 27, 2001

Action Taken:

2. **RESOLUTION** - Amending the 1984 Fresno General Plan and 1989 Woodward Park Community Plan

Action Taken:

3. **BILL** - Amending the Official Zone Map to rezone property from the AL-20 (County) to R-1/UGM zone district

Action Taken:

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED

10:30 A.M. Approve agreements with the Central Valley Energy Center and the Fresno Irrigation District (FID) for sale of 7,000-acre feet of reclaimed wastewater to serve the water supply needs of a 1,100 megawatt electrical generation facility and make a finding of statutory exemption from CEQA - Dept. of Public Utilities

Action Taken:

10:45 A.M. #1

CONTESTED CONSENT CALENDAR

10:45 A.M. #2

CLOSED SESSION

A. CONFERENCE WITH LABOR NEGOTIATOR - Government Code Section 54957.6

City Negotiator(s): Jorge Aguiniga, Andrew T. Souza and Severo Esquivel

Employee Organization(s):

1. International Union of Operating Engineers, Stationary Engineers Local 39 (Local 39)
2. International Brotherhood of Electrical Workers Local 100 (IBEW)
3. City of Fresno Management Employees Association (CFMEA)

Action Taken:

B. CONFERENCE WITH LEGAL COUNSEL - FRIENDS-OF-THE-COURT-PARTICIPATION - Government Code Section 54954.5, Subdivision (c)

1. **Case Name:** Rubin v. City of Burbank - Second Appellate District Case No. B-148288

Action Taken:

C. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - Government Code Section 54956.9, Subdivision (b)(1)

Significant Exposure of Litigation:

1. **Case Name:** One potential case - case name unspecified. (Disclosure of title would either jeopardize ability to effectuate service of process or jeopardize ability to conclude existing settlement negotiations to City's and Agency's advantage)

Action Taken:

D. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Government Code Section 54956.9, Subdivision (a)

1. **Case Name:** Mike Morales, Cecilia Morales, and John Behrens vs. Fresno Metropolitan Flood Control District, City of Fresno

Action Taken:

11:30 A.M. City lights and power presentation - Acting President Ronquillo

Action Taken:

- a. Request City Manager to designate staff to return with recommendation

Action Taken:

GENERAL CONSENT CALENDAR

(ALL CONSENT CALENDAR ITEMS ARE CONSIDERED TO BE ROUTINE AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS REQUESTED, IN WHICH EVENT THE ITEM WILL BE REMOVED FROM THE CONSENT CALENDAR AND CONSIDERED AT 2:00 P.M.)

1. Approve an agreement with the Fresno City and County Convention & Visitors Bureau and authorize the City Manager to execute the approved agreement for the City - Convention Center
Action Taken:
2. Award a contract for Golden State Boulevard left turn lane, installation of traffic signals and street widening - Dept. of Admin. Services/Purchasing Division
Action Taken:
 - a. * **RESOLUTION** - 3rd amendment to AAR No. 2001-200 appropriating \$1,094,600 to finance the Golden State Boulevard left turn lane, installation of traffic signals and street widening (**Requires 5 affirmative votes**)
Action Taken:
3. Adopt the Memorandum of Understanding (MOU) between the City of Fresno (City) and the Fresno Police Officers Association (FPOA) - Management Unit 9 - Dept. of Admin. Services/Human Resources
Action Taken:
 - a. * **RESOLUTION** - 2nd amendment to the Salary Resolution No. 2001-199 amending Section 9 - sick leave usage and compensation, Paragraph A and Exhibit 2, Section 2.1
Action Taken:
4. Amend the Salary Resolution No. 2001-199 and the PAR No. 2001-201 - Dept. of Admin. Services/Human Resources
 - a. * **RESOLUTION** - 1st amendment to the Salary Resolution No. 2000-199;
 1. Modify the executive pay ranges to reflect a 3% salary adjustment
 2. Amend the salary of the City Clerk;
 3. Amend the salary of Airport Public Safety Supervisor;
 4. Amend the salaries of Chief Police Pilot and Drug Abuse Resistance Education (D.A.R.E.) Instructors;
 5. Create the classifications of Assistant Film Commissioner, Assistant Retirement Administrator, Film Commissioner, Labor Relations Specialist, and Public Works Administrative Division Manager; and
 6. Retitle Senior Events Specialist to Events Coordinator
Action Taken:
 - b. * **RESOLUTION** - 1st amendment to the PAR No. 2001-201 amending the effective date of one Staff Assistant position
Action Taken:
5. * **RESOLUTION** - 2nd amendment to AAR No. 2001-200 appropriating \$269,400 of Federal Aviation Administration (FAA) Grant No. 3-06-0087-25 for additional funding for the design and construction of airside/landside improvements at the Fresno Yosemite International Airport (**Requires 5 affirmative votes**) - Airports Department
Action Taken:

GENERAL CONSENT CALENDAR CONTINUED

6. Rescind prior Council approval of two (2) agreements for professional services awarded under Airport Improvement Project No. 3-06-0087-27 Grant (AIP -27), and approve the two (2) agreements for professional services under Airport Improvement Project No. 3-06-0087-33 Grant (AIP-33) for the acoustical treatment of homes in the environs of the Fresno Yosemite International Airport - Airports Department
Action Taken:
7. Approve an amendment to a professional services agreement with Daniel, Mann, Johnson & Mendenhall (DMJM) for design of the Fresno Yosemite International Airport Terminal/Concourse expansion under Federal Aviation Administration AIP Grant Nos. 3-06-0087-22, 24, 25, 28, 29, 31, 32 and 34 - Airports Department
Action Taken:
8. Approve Contract Change Order No. 5 as required by Council Resolution No. 94-114 for the Fresno Yosemite International Airport Terminal/Concourse Expansion Project under Federal Aviation Administration AIP Grant Nos. 3-06-0087-22, 24, 25, 28, 29, 31, 32 and 34 and Airport 2000 bonds- Airports Department
Action Taken:
9. Approve Lease Addendum No. 2 to the Cargo Building Lease and Agreement between the City of Fresno- Airports and Federal Express Corporation - Airports Department
Action Taken:
10. Approve Amendment No. 2 to the License Agreement between the City of Fresno and Bank of America (ATM machine) - Airports Department
Action Taken:
11. Approve extension of a Temporary Use Permit issued by the City to Globe Aviation Security Services, Inc., to occupy premises at Fresno Yosemite International Airport (FYI) - Airports Department
Action Taken:
12. Award a contract for pavement recycling of various streets within the City of Fresno, Summer 2001 - cold-in-place method - Dept. of Admin. Services/Purchasing Division
Action Taken:
 - a. * **RESOLUTION** - 1st amendment to AAR No. 2001-200 appropriating \$1,690,000 to finance the pavement recycling of various streets within the City of Fresno, Summer 2001 - cold-in-place method (*Requires 5 affirmative votes*)
Action Taken:
13. Award contracts for eight (8) digital copiers - Dept. of Admin. Services/Purchasing Division
Action Taken:
14. **RESOLUTION** - Establishing Disadvantaged Business Enterprise (DBE) Program goals for 2001-2002 in U.S. Department of Transportation (DOT) Assisted contracts for the Federal Highway Administration (FHWA), Federal Aviation Administration (FAA), and Federal Transit Administration (FTA) - Dept. of Admin. Services/Purchasing Division
Action Taken:

1A. **GENERAL CONSENT CALENDAR CONTINUED**

15. Award a contract for power generation facility (PGF) site construction - Dept. of Admin. Services/Purchasing Division
Action Taken:
16. **RESOLUTION** - Authorizing the issuance of its Multifamily Housing Revenue Bonds (The Californian Project) Series 2001 A in a principal amount not to exceed five million dollars (\$5,000,000) (the "Bonds") for the purpose of financing the acquisition, rehabilitation and equipping of a multifamily residential rental project; which bonds and the interest thereon shall be payable solely from the revenues pledged to the payment of such bonds; approving and authorizing execution and delivery of an Indenture, Loan Agreement, Regulatory Agreement and certain other related documents; and authorizing the sale of the bonds - Dept. of Admin. Services/Finance Division
Action Taken:
17. **RESOLUTION** - Approving the summary vacation of excess public street rights-of-way south of Shaw Avenue along the east side of Brawley Avenue and along the west side of Marty Avenue and an unused water main easement approximately a quarter of a mile south of Shaw Avenue between Brawley and Marty Avenues - Public Works Dept./Engineering Division
Action Taken:
18. Approval of acquisition of a street easement from property at 6720 N. Carruth for improvements to Fruit Avenue - Public Works Dept./Engineering Division
Action Taken:
19. Approval of acquisition of a street easement from property at 6744 N. Carruth for improvements to Fruit Avenue - Public Works Dept./Engineering Division
Action Taken:
20. **RESOLUTION** - Approving the summary vacation of a portion of Golden State Boulevard and the adjoining relinquishment of access rights between Church and E. Avenues - Public Works Dept./Engineering Division
Action Taken:
21. Accept two (2) grants and approve agreements from the San Joaquin Valley Unified Air Pollution Control District for the painting of the bicycle lanes on the following streets: - Public Works Dept./Engineering Division
- a. * **RESOLUTION** - 4th amendment to AAR No. 2001-200 appropriating \$20,000 from the San Joaquin Valley Unified Air Pollution Control District for the painting of the bicycle lanes on portions of McKinley and Palm Avenues (*Requires 5 affirmative votes*)
Action Taken:
 - b. McKinley Avenue between Chestnut and Clovis Avenues Agreement No. 00-017, amount of \$15,000
Action Taken:
 - c. Palm Avenue between Bullard and Herndon Avenues Agreement No. 00-018, amount of \$5,000
Action Taken:

1A. **GENERAL CONSENT CALENDAR CONTINUED**

22. Approve a Professional Services Agreement with Peters Engineering for the design of plans and construction documents for traffic signal modifications and street improvements at Tulare Avenue and First Street - Public Works Dept./Capital Mgmt. Division
Action Taken:
23. Approve Lease Addendum No. 2 to the Cargo Building Lease and Agreement between the City of Fresno-Airports and United Parcel Service, Inc. - Airports Department
Action Taken:
24. **RESOLUTION** - Approving the Final Map of Tract No. 5018 and accepting dedicated public uses therein; Phase III of Vesting Tentative Map No. 4381, a 25-lot single-family residential planned development subdivision on approximately 2.76 acres of property located on the west side of N. Polk Avenue between E. Ashlan and E. Gettysburg Avenues (***Council District 1***) - Development Dept.
Action Taken:
25. Consideration of proposed Shepherd-Chestnut No. 2 Reorganization consisting of approximately 70 acres from the Fresno County Fire Protection District and the Kings River Conservation District and annexation of the same territory to the City of Fresno - (***Council District 6***) - Development Dept.
a. * **RESOLUTION** - Applying to the Fresno Local Agency Formation Commission (LAFCO) in the matter of the proposed Shepherd-Chestnut No. 2 Reorganization
Action Taken:
26. Authorize City Manager to execute Memorandum of Understanding (MOU) for Rail Consolidation Study - City Manager's Office
Action Taken:
27. **RESOLUTION** - Authorize the City Manager to enter into an agreement with the Bureau of Alcohol, Tobacco and Firearms(ATF) to provide the City of Fresno with an explosives storage bunker - Police Department
Action Taken:

1B. **CONSENT CALENDAR - BILL FOR INTRODUCTION - PINK TABS**

1. * **BILL - (*For introduction*)** - Consider an amendment to the text of the Fresno Municipal Code relating to group housing facilities
Action Taken:
a. Alternative No. 1 (***By City Council***)
Action Taken:
b. Alternative No. 2 (***By Planning and Development Department Director***)
Action Taken:

2. **PLANNING AND ZONING ADMINISTRATION**

3. **GENERAL ADMINISTRATION**

- A. Approve the necessary amendments to AAR No. 2001-200 to balance the FY 2002 general fund - City Manager
1. * **RESOLUTION** - 6th amendment to AAR No. 2001-200 to account for the loss of ERAF revenue in the State budget (*Requires 5 affirmative votes*)
Action Taken:
 2. * **RESOLUTION** - 7th amendment to AAR No. 2001-200 to pay for higher utility costs in the general fund (*Requires 5 affirmative votes*)
Action Taken:
 3. * **RESOLUTION** - 8^h amendment to AAR No. 2001-200 to fund the Macias Group contract for review of the Police Department (*Requires 5 affirmative votes*)
Action Taken:
 4. * **RESOLUTION** - 9th amendment to AAR No. 2001-200 to pay for the cost of a consultant to assist in the preparation of the Empowerment Zone application (*Requires 5 affirmative votes*)
Action Taken:
 5. * **RESOLUTION** - 385th amendment to the Master Fee Schedule Resolution No. 80-420 rolling back certain park and zoo fees (*Requires 5 affirmative votes*)
Action Taken:
- B. Approval of removal of Randall Carlton as Interim Controller and approval of appointment of Ruthie Quinto as Interim Controller
Action Taken:
- C. Approval of Contract Change Order No. 9 for the Fresno landfill closure and regional park and sports complex (GC 00001) - Public Works Dept./Capital Mgmt.
Action Taken:

4. **CITY ATTORNEY**

JOINT MEETING WITH THE REDEVELOPMENT AGENCY

- A. Consider approving request for conflict of interest waiver requested by the law firm of Baciagalupi, Neufeld and Rowley regarding representation of the Redevelopment Agency (*Council and Agency action*)
Action Taken:

ADJOURN AGENCY

4.

CITY ATTORNEY CONTINUED

- B. Consider approving request for conflict of interest waiver requested by the law firm of Sagaser, Franson & Jones, regarding City of Fresno/Scott Ellis Enterprises - Scott Ellis (Re Sugar Pine Trail)

Action Taken:

- C. Phase I of code streamlining to repeal outdated and unlawful provisions

1. * **BILL NO. B-65 - (Intro. 7/24/2001)** - Repealing Article 9 of Chapter 8, Article 17 of Chapter 9, Article 5 of Chapter 13, Article 6 of Chapter 13, Sections 1-103, 2-805, 2-807, 2-808, 2-1611, 6-107, 6-110, 7-322, 8-123, 8-127, 8-129.2, 8-132, 8-202, 8-404, 8-405, 8-504, 9-107, 11-107, 11-108, 11-110 and 11, 111.1, 11-401, 11-402 and 11-403, Subsection (c) of Section 2-1666 relating to obsolete, unlawful cumulative, and meaningless provisions of the Fresno Municipal Code

Action Taken:

- a. Supplemental report to Phase I of code streamlining regarding Subsection 2-1666(c)

Action Taken:

5.

CITY COUNCIL

- A. **RESOLUTION** - In support of Assembly Bill AB 911 proposing to ban the use of hand-held cellular telephones while driving - Councilmember Calhoun

Action Taken:

- B. Council direction regarding proposed design guidelines and standards for the City of Fresno - Councilmember Calhoun

Action Taken:

- C. Appointment of a Councilmember to be a representative to the League of California Cities - Council President Perea

Action Taken:

- D. Request City Manager to restore funding to the Public Works Thermal Plastics School Safety Project - Councilmember Calhoun and Council President Perea

Action Taken:

- E. Direct the City Manager to restore the 2001 fee schedule for the Convention Center until a written justification is presented to the Council and a department analysis by the William Kirchoff & Associates is complete. Funds for the study are to come from the Convention Center Budget - Councilmember Duncan

Action Taken:

5. **CITY COUNCIL CONTINUED**

- F. **RESOLUTION** - Supporting ACA 10 proposing to the people of the State of California an amendment to the Constitution of the State, by adding Section 1.5 to Article XIII A thereof, relating to local government finance property tax revenue allocation; local agency relief - Councilmember Duncan
Action Taken:
- G. Direct City Attorney to assign staff to assist in research and preparation of item for March 2002 ballot for public vote relating to preserving Eaton Plaza as a park space - Acting President Ronquillo
Action Taken:

6. **CITY/COUNTY INTERGOVERNMENTAL RELATIONS**

7. **UNSCHEDULED ORAL COMMUNICATIONS** - You may address the City Council at the conclusion of the Council meeting regarding items that are not listed on the agenda. The policy is to limit your presentation to three (3) minutes pursuant to Ordinance No. 96-67. Please be present at the conclusion of the meeting if you wish to be heard. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk Department at least 10 days prior to the desired date of appearance.

SCHEDULED COUNCIL HEARINGS AND MATTERS

- Aug 7 - **NO MEETING - COUNCIL VACATION**
Aug. 14 - **NO MEETING - COUNCIL VACATION**
- Aug. 21 - **10:00 A.M. HEARING** re: resolutions for CFD No. 5 (Foundry Park)
- Aug. 21 - **5:30 P.M. HEARING** re: Text Amendment No. TA-00-02 relating to group homes
- Aug. 28 - **10:00 A.M.** Study Session on Housing Programs
- Aug. 28 - **10:30 A.M. HEARING** re: Rezone Appl. No. R-01-025, filed by Ron Miller
- Aug. 28 - **10:45 A.M. HEARING** re: Rezone Appl. No. R-01-026, filed by Kirk Kerkochian
- Aug. 28 - **11:00 A.M. HEARING** re: Northeast Police Substation fees
- Sept. 4 - **NO MEETING - COUNCIL VACATION**
Sept 11 - **NO MEETING - COUNCIL VACATION**
- Sept. 18 - **10:00 A.M. HEARING** re: Rezone Appl. No. R-01-027, filed by Tutelian Development Partners, located at the southwest corner of W. Nees and N. Blackstone Avenues
- Sept. 18 - **10:15 A.M. HEARING** to consider formation of UUD No. FRE-77 (Peach Ave. betw. Belmont and Butler Avenues)

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Recognition of Police Chief Ed Winchester

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Approve minutes of July 24, 2001 (*To be approved 8/14/2001*)

Action Taken:

Approve Agenda

Action Taken:

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b. **RESOLUTION** - Calling a special mailed-ballot election

Action Taken:

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d. * **BILL** - Levying a special tax for the property tax year 2001-2002 and future tax years within and relating to Community Facilities District No. 2, Annexation No. 28

Action Taken:

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Action Taken:

1. Consider and adopt Mitigated Negative Declaration for Environmental Assessment No. A-01-01, R-01-02, T-5007, dated April 27, 2001

*** ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION**

- Action Taken:**
2. **RESOLUTION** - Amending the 1984 Fresno General Plan and 1989 Woodward Park Community Plan
- Action Taken:**
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- Action Taken:**

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED
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Action Taken:

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- Action Taken:**
- B. **CONFERENCE WITH LEGAL COUNSEL - FRIENDS-OF-THE-COURT-PARTICIPATION** - Government Code Section 54954.5, Subdivision (c)
1. **Case Name:** Rubin v. City of Burbank - Second Appellate District Case No. B-148288
Action Taken:
- C. **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION** - Government Code Section 54956.9, Subdivision (b)(1)
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1. **Case Name:** One potential case - case name unspecified. (Disclosure of title would either jeopardize ability to effectuate service of process or jeopardize ability to conclude existing settlement negotiations to City's and Agency's advantage)
Action Taken:
- D. **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION** - Government Code Section 54956.9, Subdivision (a)
- * ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION**

1. **Case Name:** Mike Morales, Cecilia Morales, and John Behrens vs. Fresno Metropolitan Flood Control District, City of Fresno
Action Taken:

11:30 A.M. City lights and power presentation - Acting President Ronquillo

Action Taken:

- a. Request City Manager to designate staff to return with recommendation

Action Taken:

1A. GENERAL CONSENT CALENDAR

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Action Taken:

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3. Adopt the Memorandum of Understanding (MOU) between the City of Fresno (City) and the Fresno Police Officers Association (FPOA) - Management Unit 9 - Dept. of Admin. Services/Human Resources

Action Taken:

- a. * **RESOLUTION** - 2nd amendment to the Salary Resolution No. 2001-199 amending Section 9 - sick leave usage and compensation, Paragraph A and Exhibit 2, Section 2.1

Action Taken:

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1. Modify the executive pay ranges to reflect a 3% salary adjustment
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6. Retitle Senior Events Specialist to Events Coordinator

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Action Taken:

1A. **GENERAL CONSENT CALENDAR CONTINUED**

6. Rescind prior Council approval of two (2) agreements for professional services awarded under Airport Improvement Project No. 3-06-0087-27 Grant (AIP -27), and approve the two (2) agreements for professional services under Airport Improvement Project No. 3-06-0087-33 Grant (AIP-33) for the acoustical treatment of homes in the environs of the Fresno Yosemite International Airport - Airports Department
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7. Approve an amendment to a professional services agreement with Daniel, Mann, Johnson & Mendenhall (DMJM) for design of the Fresno Yosemite International Airport Terminal/Concourse expansion under Federal Aviation Administration AIP Grant Nos. 3-06-0087-22, 24, 25, 28, 29, 31, 32 and 34 - Airports Department
Action Taken:
8. Approve Contract Change Order No. 5 as required by Council Resolution No. 94-114 for the Fresno Yosemite International Airport Terminal/Concourse Expansion Project under Federal Aviation Administration AIP Grant Nos. 3-06-0087-22, 24, 25, 28, 29, 31, 32 and 34 and Airport 2000 bonds- Airports Department
Action Taken:
9. Approve Lease Addendum No. 2 to the Cargo Building Lease and Agreement between the City of Fresno- Airports and Federal Express Corporation - Airports Department
Action Taken:
10. Approve Amendment No. 2 to the License Agreement between the City of Fresno and Bank of America (ATM machine) - Airports Department
Action Taken:
11. Approve extension of a Temporary Use Permit issued by the City to Globe Aviation Security Services, Inc., to occupy premises at Fresno Yosemite International Airport (FYI) - Airports Department
Action Taken:
12. Award a contract for pavement recycling of various streets within the City of Fresno, Summer 2001 - cold-in-place method - Dept. of Admin. Services/Purchasing Division
Action Taken:
- a. * **RESOLUTION** - 1st amendment to AAR No. 2001-200 appropriating \$1,690,000 to finance the pavement recycling of various streets within the City of Fresno, Summer 2001 - cold-in-place method (***Requires 5 affirmative votes***)

*** ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION**

Action Taken:

13. Award contracts for eight (8) digital copiers - Dept. of Admin. Services/Purchasing Division

Action Taken:

14. **RESOLUTION** - Establishing Disadvantaged Business Enterprise (DBE) Program goals for 2001-2002 in U.S. Department of Transportation (DOT) Assisted contracts for the Federal Highway Administration (FHWA), Federal Aviation Administration (FAA), and Federal Transit Administration (FTA) - Dept. of Admin. Services/Purchasing Division

Action Taken:

1A. **GENERAL CONSENT CALENDAR CONTINUED**

15. Award a contract for power generation facility (PGF) site construction - Dept. of Admin. Services/Purchasing Division

Action Taken:

16. **RESOLUTION** - Authorizing the issuance of its Multifamily Housing Revenue Bonds (The Californian Project) Series 2001 A in a principal amount not to exceed five million dollars (\$5,000,000) (the "Bonds") for the purpose of financing the acquisition, rehabilitation and equipping of a multifamily residential rental project; which bonds and the interest thereon shall be payable solely from the revenues pledged to the payment of such bonds; approving and authorizing execution and delivery of an Indenture, Loan Agreement, Regulatory Agreement and certain other related documents; and authorizing the sale of the bonds - Dept. of Admin. Services/Finance Division

Action Taken:

17. **RESOLUTION** - Approving the summary vacation of excess public street rights-of-way south of Shaw Avenue along the east side of Brawley Avenue and along the west side of Marty Avenue and an unused water main easement approximately a quarter of a mile south of Shaw Avenue between Brawley and Marty Avenues - Public Works Dept./Engineering Division

Action Taken:

18. Approval of acquisition of a street easement from property at 6720 N. Carruth for improvements to Fruit Avenue - Public Works Dept./Engineering Division

Action Taken:

19. Approval of acquisition of a street easement from property at 6744 N. Carruth for improvements to Fruit Avenue - Public Works Dept./Engineering Division

Action Taken:

20. **RESOLUTION** - Approving the summary vacation of a portion of Golden State Boulevard and the adjoining relinquishment of access rights between Church and E. Avenues - Public Works Dept./Engineering Division

Action Taken:

21. Accept two (2) grants and approve agreements from the San Joaquin Valley Unified Air Pollution Control District for the painting of the bicycle lanes on the following streets: - Public Works Dept./Engineering Division

- a. * **RESOLUTION** - 4th amendment to AAR No. 2001-200 appropriating \$20,000 from the San

*** ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION**

Joaquin Valley Unified Air Pollution Control District for the painting of the bicycle lanes on portions of McKinley and Palm Avenues (*Requires 5 affirmative votes*)

Action Taken:

- b. McKinley Avenue between Chestnut and Clovis Avenues Agreement No. 00-017, amount of \$15,000

Action Taken:

- c. Palm Avenue between Bullard and Herndon Avenues Agreement No. 00-018, amount of \$5,000

Action Taken:

1A. **GENERAL CONSENT CALENDAR CONTINUED**

22. Approve a Professional Services Agreement with Peters Engineering for the design of plans and construction documents for traffic signal modifications and street improvements at Tulare Avenue and First Street - Public Works Dept./Capital Mgmt. Division

Action Taken:

23. Approve Lease Addendum No. 2 to the Cargo Building Lease and Agreement between the City of Fresno-Airports and United Parcel Service, Inc. - Airports Department

Action Taken:

24. **RESOLUTION** - Approving the Final Map of Tract No. 5018 and accepting dedicated public uses therein; Phase III of Vesting Tentative Map No. 4381, a 25-lot single-family residential planned development subdivision on approximately 2.76 acres of property located on the west side of N. Polk Avenue between E. Ashlan and E. Gettysburg Avenues (*Council District 1*) - Development Dept.

Action Taken:

25. Consideration of proposed Shepherd-Chestnut No. 2 Reorganization consisting of approximately 70 acres from the Fresno County Fire Protection District and the Kings River Conservation District and annexation of the same territory to the City of Fresno - (*Council District 6*) - Development Dept.

- a. * **RESOLUTION** - Applying to the Fresno Local Agency Formation Commission (LAFCO) in the matter of the proposed Shepherd-Chestnut No. 2 Reorganization

Action Taken:

26. Authorize City Manager to execute Memorandum of Understanding (MOU) for Rail Consolidation Study - City Manager's Office

Action Taken:

27. **RESOLUTION** - Authorize the City Manager to enter into an agreement with the Bureau of Alcohol, Tobacco and Firearms(ATF) to provide the City of Fresno with an explosives storage bunker - Police Department

Action Taken:

1B. **CONSENT CALENDAR - BILL FOR INTRODUCTION - PINK TABS**

1. * **BILL - (*For introduction*)** - Consider an amendment to the text of the Fresno Municipal Code relating to group housing facilities

Action Taken:

- a. Alternative No. 1 (*By City Council*)

Action Taken:

- b. Alternative No. 2 (*By Planning and Development Department Director*)

Action Taken:

2. **PLANNING AND ZONING ADMINISTRATION**

3. **GENERAL ADMINISTRATION**

- A. Approve the necessary amendments to AAR No. 2001-200 to balance the FY 2002 general fund - City Manager

1. * **RESOLUTION** - 6th amendment to AAR No. 2001-200 to account for the loss of ERAF revenue in the State budget (*Requires 5 affirmative votes*)

Action Taken:

2. * **RESOLUTION** - 7th amendment to AAR No. 2001-200 to pay for higher utility costs in the general fund (*Requires 5 affirmative votes*)

Action Taken:

3. * **RESOLUTION** - 8^h amendment to AAR No. 2001-200 to fund the Macias Group contract for review of the Police Department (*Requires 5 affirmative votes*)

Action Taken:

4. * **RESOLUTION** - 9th amendment to AAR No. 2001-200 to pay for the cost of a consultant to assist in the preparation of the Empowerment Zone application (*Requires 5 affirmative votes*)

Action Taken:

5. * **RESOLUTION** - 385th amendment to the Master Fee Schedule Resolution No. 80-420 rolling back certain park and zoo fees (*Requires 5 affirmative votes*)

Action Taken:

- B. Approval of removal of Randall Carlton as Interim Controller and approval of appointment of Ruthie Quinto as Interim Controller

Action Taken:

- C. Approval of Contract Change Order No. 9 for the Fresno landfill closure and regional park and sports complex (GC 00001) - Public Works Dept./Capital Mgmt.

Action Taken:

4. **CITY ATTORNEY**

JOINT MEETING WITH THE REDEVELOPMENT AGENCY

- A. Consider approving request for conflict of interest waiver requested by the law firm of Baciagalupi, Neufeld and Rowley regarding representation of the Redevelopment Agency (***Council and Agency action***)
Action Taken:

ADJOURN AGENCY

4. **CITY ATTORNEY CONTINUED**

- B. Consider approving request for conflict of interest waiver requested by the law firm of Sagaser, Franson & Jones, regarding City of Fresno/Scott Ellis Enterprises - Scott Ellis (Re Sugar Pine Trail)
Action Taken:
- C. Phase I of code streamlining to repeal outdated and unlawful provisions
1. * **BILL NO. B-65 - (Intro. 7/24/2001)** - Repealing Article 9 of Chapter 8, Article 17 of Chapter 9, Article 5 of Chapter 13, Article 6 of Chapter 13, Sections 1-103, 2-805, 2-807, 2-808, 2-1611, 6-107, 6-110, 7-322, 8-123, 8-127, 8-129.2, 8-132, 8-202, 8-404, 8-405, 8-504, 9-107, 11-107, 11-108, 11-110 and 11, 111.1, 11-401, 11-402 and 11-403, Subsection (c) of Section 2-1666 relating to obsolete, unlawful cumulative, and meaningless provisions of the Fresno Municipal Code
Action Taken:
- a. Supplemental report to Phase I of code streamlining regarding Subsection 2-1666(c)
Action Taken:

5. **CITY COUNCIL**

- A. **RESOLUTION** - In support of Assembly Bill AB 911 proposing to ban the use of hand-held cellular telephones while driving - Councilmember Calhoun
Action Taken:
- B. Council direction regarding proposed design guidelines and standards for the City of Fresno - Councilmember Calhoun
Action Taken:
- C. Appointment of a Councilmember to be a representative to the League of California Cities - Council President Perea
Action Taken:
- D. Request City Manager to restore funding to the Public Works Thermal Plastics School Safety Project - Councilmember Calhoun and Council President Perea

Action Taken:

- E. Direct the City Manager to restore the 2001 fee schedule for the Convention Center until a written justification is presented to the Council and a department analysis by the William Kirchoff & Associates is complete. Funds for the study are to come from the Convention Center Budget - Councilmember Duncan

Action Taken:

5. **CITY COUNCIL CONTINUED**

- F. **RESOLUTION** - Supporting ACA 10 proposing to the people of the State of California an amendment to the Constitution of the State, by adding Section 1.5 to Article XIII A thereof, relating to local government finance property tax revenue allocation; local agency relief - Councilmember Duncan

Action Taken:

- G. Direct City Attorney to assign staff to assist in research and preparation of item for March 2002 ballot for public vote relating to preserving Eaton Plaza as a park space - Acting President Ronquillo

Action Taken:

6. **CITY/COUNTY INTERGOVERNMENTAL RELATIONS**

7. **UNSCHEDULED ORAL COMMUNICATIONS** - You may address the City Council at the conclusion of the Council meeting regarding items that are not listed on the agenda. The policy is to limit your presentation to three (3) minutes pursuant to Ordinance No. 96-67. Please be present at the conclusion of the meeting if you wish to be heard. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk Department at least 10 days prior to the desired date of appearance.

SCHEDULED COUNCIL HEARINGS AND MATTERS

Aug 7 - NO MEETING - COUNCIL VACATION

Aug. 14 - NO MEETING - COUNCIL VACATION

Aug. 21 - 10:00 A.M. HEARING re: resolutions for CFD No. 5 (Foundry Park)

Aug. 21 - 5:30 P.M. HEARING re: Text Amendment No. TA-00-02 relating to group homes

Aug. 28 - 10:00 A.M. Study Session on Housing Programs

Aug. 28 - 10:30 A.M. HEARING re: Rezone Appl. No. R-01-025, filed by Ron Miller

Aug. 28 - 10:45 A.M. HEARING re: Rezone Appl. No. R-01-026, filed by Kirk Kerkochian

- Aug. 28 - 11:00 A.M. HEARING** re: Northeast Police Substation fees
- Sept. 4 - NO MEETING - COUNCIL VACATION**
- Sept 11 - NO MEETING - COUNCIL VACATION**
- Sept. 18 - 10:00 A.M. HEARING** re: Rezone Appl. No. R-01-027, filed by Tutelian Development Partners, located at the southwest corner of W. Nees and N. Blackstone Avenues
- Sept. 18 - 10:15 A.M. HEARING** to consider formation of UUD No. FRE-77 (Peach Ave. betw. Belmont and Butler Avenues)